

### **REMARKS/ARGUMENTS**

Upon entry of the instant amendment, claims 1, 6 and 7 are pending. Claims 1 and 6 have been amended to more particularly point out the Applicant's invention. It is respectfully submitted that upon entry of the instant amendment and consideration of the remarks below, that the application is in condition for allowance.

#### **Claim Rejections – 35 U.S.C. §112:**

Claim 1 has been rejected under 35 U.S.C. §112 for allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regard as the invention. Bases for this rejection is the alleged lack of an antecedent basis for the phrase "said passive stylus" in line 17. Claim has been amended to include an antecedent basis for the passive stylus in line 3. Accordingly, this rejection should be obviated.

#### **Claim Rejections – 35 U.S.C. §103:**

Claims 1, 6 and 7 have been rejected under 35 U.S.C. §103(a) as being unpatentable over McCain, U.S. patent no. 5,309,351 in view of the admission of Pen Windows.

The basis of this rejection are the statements in paragraph 5 of the Detailed Action repeated herein below for convenience:

"Applicant states that RC Manager 350 is the Recognition Context Manager module of Pen Windows and the description of RC Manager 350 in the last paragraph on page 20 of Applicant's specification describes this Pen Windows manager as determining the pen mode and mouse mode. In the paragraph spanning pages 11 and 12 a passive stylus is admitted to be used in the Pen Windows system."

It is respectfully submitted that the text of the specification has been misinterpreted. The Pen Windows software referred to in the specification refers to an operating system for use with PC Tablets responsive to a passive stylus. The software module is being relied upon in support of the rejection, namely, the RC Manager 350 simply has nothing to do with monitoring pen

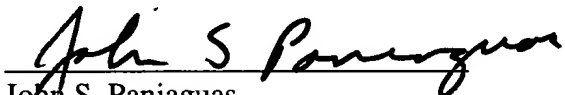
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events on the digitizer panel. It is the application programs which form part of the present invention which provide the functionality to enable the pen events (which are just simply monitored by the Pen Windows operating system) to be translated for use in both a mouse mode and a pen mode. In a mouse mode, those pen events are converted so that the passive stylus can emulate the dragging of a mouse, as well as the clicking of mouse button. The mouse emulation functions are not part of the Pen Windows operating system but rather part of the present invention. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the rejection of claims 1, 6 and 7.

Respectfully submitted,

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